

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

FREEDOM WIRELESS, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 2:06-CV-504-TJW
	§	
ALLTEL CORPORATION, COMVERSE,	§	
INC., ALLTEL COMMUNICATIONS,	§	
LLC, CRICKET COMMUNICATIONS,	§	
INC.,	§	
	§	
Defendants.	§	
	§	

**AGREED MOTION TO DISMISS WITH PREJUDICE**  
**CLAIMS AGAINST AND BY THE ALLTEL DEFENDANTS**

Plaintiff Freedom Wireless, Inc. ("Plaintiff") and Defendants Alltel Corporation and Alltel Communications, LLC (the "Alltel Defendants") move to dismiss this case with prejudice and state:

1. Plaintiff and the Alltel Defendants have amicably resolved their disputes and have agreed to release their claims and counterclaims against each other with prejudice.
2. Plaintiff and the Alltel Defendants stipulate that each party is to bear its own costs, attorneys' fees and other expenses.
3. Plaintiff and the Alltel Defendants stipulate that this Court may retain jurisdiction to enforce the terms of any memorandum of understanding or settlement agreement between the parties (but only to the extent expressly provided in such settlement agreement).
4. Plaintiff and the Alltel Defendants request that the Court dismiss (a) all claims asserted or assertable by Plaintiff against the Alltel Defendants, and (b) all counterclaims asserted or assertable by the Alltel Defendants against Plaintiff.

Respectfully submitted,

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**ATTORNEYS FOR FREEDOM  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). All other counsel of record will be served by first class mail this 10th day of April, 2009.

/s/ Paul F. Ware, Jr., P. C.